

Express Mail Label No. _____ Dated: _____

Docket No.: 06670/0203474-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Claude Juneau

Application No.: 10/552,239

Confirmation No.: 8830

Filed: December 20, 2005

Art Unit: 3728

For: DEVICE FOR A CONTAINER

Examiner: E. A. Grano

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the requirement for election of species mailed November 25, 2008, applicant hereby elects Species II (Figs. 10-15). Claims 1, 10 and 12-21 are readable on this Species.

Applicant's election is made without prejudice. As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to not more than a reasonable number of species in addition to the elected species, provided that all claims to each additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.146.

A prompt Official Action on the merits is respectfully requested.

Dated: December 17, 2008

Respectfully submitted,

By

S. Peter Ludwig

Registration No.: 25,351

DARBY & DARBY P.C.

P.O. Box 770

Church Street Station

New York, New York 10008-0770

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant